

U.S. Department of Justice



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April 22, 2019

BY ECF

The Honorable Andrew L. Carter, Jr.
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2203
New York, NY 10007

Re: *Knight First Amendment Institute v. U.S. Dep't of Homeland Security et al.*,
No. 17 Civ. 7572 (ALC)

Dear Judge Carter:

I write respectfully on behalf of United States Immigration and Customs Enforcement (“ICE”), Department of Justice, Office of Legal Counsel (“OLC”), and Department of State (“State”), defendants in the above-referenced FOIA action, to request a five-day extension, from April 29, 2019, to May 3, 2019, of the briefing schedule for the government’s opposition and reply brief as to the parties’ cross-motions for summary judgment for those defendants (and thus a corresponding extension, from May 13, 2019, to May 17, 2019, for plaintiff’s reply brief). Plaintiff consents to this request.

On February 15, 2019, the Court endorsed a briefing schedule in which plaintiff’s challenges to the searches conducted by ICE and OLC, as well as the withholdings claimed by State, are to be briefed first (“First Motions”), and plaintiff’s challenges to the withholdings claimed by ICE and United States Citizenship and Immigration Service (“USCIS”) are to be briefed second (“Second Motions”). *See* Dkt. No. 87. Accordingly, as to the First Motions, the government timely filed its moving papers on February 26, 2019; plaintiff filed its opposition and cross-motion on March 28, 2019; and the government’s reply and opposition is currently due by April 29, 2019. In light of the Easter and Passover holidays, unexpected other deadlines, and the New York City public schools recess, the government respectfully requests a brief, five-day extension of the April 29, 2019, deadline, to May 3, 2019. This is the first request for such an extension; if granted, the government has no objection to a similar extension, from May 13, 2019, to May 17, 2019, for plaintiff’s reply brief. Finally, this extension would not affect the briefing schedule as to the Second Motions.

I thank the Court for considering this matter.

Respectfully,

GEOFFREY S. BERMAN
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cc: Counsel for Plaintiff (by ECF)